

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
DISTRICT OF MARYLAND

Felicia C. Cannon, Clerk

Reply to Northern Division Address

January 24, 2006

U.S. District Court
844 King Street
Wilmington, Delaware 19801

05cr92 SLR

Re: United States of America vs. Damion Trizell Neal
Civil Action No.:
Criminal Action No.: MJG-02-0219

Dear Clerk:

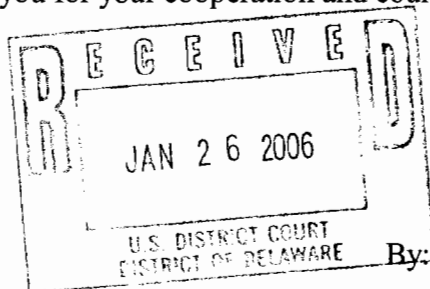
[] On January 24, 2006, an Order was filed transferring the above-captioned case to your Court. Enclosed is a certified copy of the Order and docket entries. Also enclosed are all the original papers on file.

[X] On, an Order was filed accepting jurisdiction by your court in this case. Enclosed are certified copies of the Transfer of Jurisdiction (Prob 22), Indictment, Judgment and Commitment, and docket entries.

[] Consent of the Defendant and approval of the United States Attorney having been received, this matter is being transmitted to your Court pursuant to Fed. R. Crim. P. 20(a). Enclosed are all the original papers on file.

Kindly acknowledge receipt of the enclosed on the duplicate copy of this letter and indicate the case number assigned in your District in the area provided below.

Thank you for your cooperation and courtesy in this matter.



Sincerely,

Felicia C. Cannon, Clerk

Agnes M. Finney
Deputy Clerk

Enclosure

Received by: _____

Date: _____

New Case No.: _____

Letter Transferring Case (Rev. 02/26/2002)

FILED U.S. DISTRICT COURT DISTRICT OF MARYLAND TRANSFER OF JURISDICTION 2005 OCT -5 P 4:57		DOCKET NUMBER (Tran. Court) 1:02CR00219-001	
		DOCKET NUMBER (Rec. Court) CF05-92	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE: Damion Trizell Neal DEPUTY	DISTRICT Maryland		DIVISION Baltimore
	NAME OF SENTENCING JUDGE Marvin J. Garbis		
	DATES OF PROBATION/SUPERVISED RELEASE:	FROM 07/20/2004	TO 07/19/2007
OFFENSE Possession of a Firearm by a Convicted Felon			
RECEIVED JAN 26 2006			
PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND			
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the District of Delaware upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*			
Date October 7, 2005		Honorable Marvin J. Garbis U.S. District Judge	
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON			
IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.			
I hereby attest and certify on January 24, 2006 that the foregoing document is a full true and correct copy of the original as it is in my office and in my legal custody. FELICIA C. CANNON CLERK, U. S. DISTRICT COURT DISTRICT OF MARYLAND			
Effective Date 11/3/05	By <i>[Signature]</i> Deputy United States District Judge		

FILED ENTERED
LOGGED RECEIVED

JFP/USAO No.

MAY 2 2002

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

DEPUTY

UNITED STATES OF AMERICA

: CRIMINAL NO. MTG-02-0219

v.

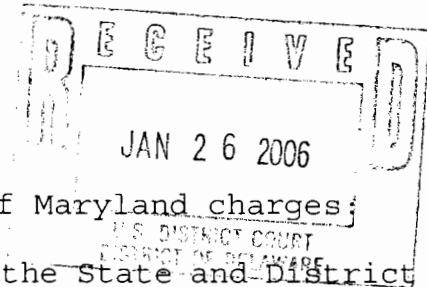
: (Possession of a firearm by a
convicted felon, 18 U.S.C.

DAMION TRIZELL NEAL

: §922(g)(1))

...oOo...

INDICTMENT



The Grand Jury for the District of Maryland charges;

On or about November 24, 2000, in the State and District

of Maryland,

DAMION TRIZELL NEAL,

the defendant herein, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess a firearm, to wit: one small caliber revolver, in and affecting commerce.

18 U.S.C. Section 922(g)(1)

Thomas M. DiBiagio JFP
Thomas M. DiBiagio
United States Attorney

A TRUE BILL:

Foreperson

Date: 5.2.02

I hereby attest and certify that the foregoing document is a full, true and correct copy of the original on file in my office and in my legal custody.

FELICIA C. CANNON
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND

By *Agnes M. King* Deputy

FILED
 U.S. DISTRICT COURT
 DISTRICT OF MARYLAND
 2003 APR 9

United States District Court

District of Maryland

2003 APR -9 A 8:49

UNITED STATES OF AMERICA

v.

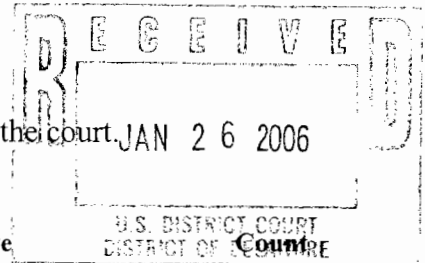
DAMION TRIZELL NEAL**JUDGMENT IN A CRIMINAL CASE**

(For Offenses Committed on or After November 1, 1987)

Case Number: MJG-02-0219

Defendant's Attorney: John Sakellaris, Esq.

Assistant U.S. Attorney: John Purcell, Esq.

THE DEFENDANT:☒ pleaded guilty to count(s) 1☐ pleaded nolo contendere to count(s) _____, which was accepted by the court.☐ was found guilty on count(s) _____ after a plea of not guilty.

Title & Section	Nature of Offense	Date	Offense Concluded	Number(s)
18 U.S.C. 922 (g)(1)	Possession of a Firearm by a Convicted Felon	11/24/00		1

The defendant is adjudged guilty of the offenses listed above and sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's SSN: [REDACTED] 2798

Defendant's Date of Birth: [REDACTED] 76

Defendant's U.S.M. No.: 40320-037

April 7, 2003

Date of Imposition of Judgment

Defendant's Residence Address: [REDACTED]

Baltimore, MD [REDACTED]

I hereby attest and certify on
 that the foregoing document is a full, true and correct
 copy of the original on file in my office and in my
 legal custody.

FELICIA C. CANNON
 CLERK, U. S. DISTRICT COURT
 DISTRICT OF MARYLAND

Marvin J. Garbis

United States District Judge

By [Signature] Deputy

Name of Court Reporter: Barbara Shaulis

[Handwritten signature]

[Handwritten signature]

DEFENDANT: **Damion Trizell Neal**CASE NUMBER: **MJG-02-0219****IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 39 months.

☒ The court makes the following recommendations to the Bureau of Prisons:

1. **That the defendant received credit for time served as deemed appropriate by the Bureau of Prisons**
2. **That the defendant be designated to an Federal Correctional Institution outside the state of Maryland for service of his sentence.**

☒ **The defendant is remanded to the custody of the United States Marshal.**

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ a.m./p.m. on _____.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender, at his/her own expense, to the institution designated by the Bureau of Prisons at the date and time specified in a written notice to be sent to the defendant by the United States Marshal. If the defendant does not receive such a written notice, defendant shall surrender to the United States Marshal:

☐ before 2 p.m. on _____.

A defendant who fails to report either to the designated institution or to the United States Marshal as directed shall be subject to the penalties of Title 18 U.S.C. §3146. If convicted of an offense while on release, the defendant shall be subject to the penalties set forth in 18 U.S.C. §3147. For violation of a condition of release, the defendant shall be subject to the sanctions set forth in Title 18 U.S.C. §3148. Any bond or property posted may be forfeited and judgment entered against the defendant and the surety in the full amount of the bond.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____
_____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By: _____

DEPUTY U.S. MARSHAL

DEFENDANT: Damion Trizell Neal**CASE NUMBER: MJG-02-0219****SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

The defendant shall comply with all of the following conditions:

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

A. STATUTORY CONDITIONS OF SUPERVISED RELEASE

- 1) The defendant shall not commit any federal, state or local crime.
- 2) In any felony case, the defendant shall not possess a firearm or ammunition as defined in 18 U.S.C. §921.
- 3) The defendant shall not illegally use or possess a controlled substance.
- 4) The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.
☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- 5) If this judgment imposes any criminal monetary penalty, including special assessment, fine, or restitution, it shall be a condition of supervised release that the defendant pay any such monetary penalty that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment. The defendant shall notify the court of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay restitution, fines, or special assessments.

B. STANDARD CONDITIONS OF SUPERVISION

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) The defendant shall support his or her dependents and meet other family responsibilities;
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) The defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) The defendant shall refrain from excessive use of alcohol;
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any persons convicted of a felony unless granted permission to do so by the probation officer;
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer;
- 12) The defendant shall notify the probation officer within 72 hours of being charged with any offense, including a traffic offense;
- 13) The defendant shall not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the court;
- 14) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: Damion Trizell Neal

CASE NUMBER: MJG-02-0219

**C. SUPERVISED RELEASE
ADDITIONAL CONDITIONS**

A. Special Conditions:

- 1. The defendant shall satisfactorily participate in a treatment program approved by the probation officer relating to substance and/or alcohol abuse, which may include evaluation, counseling, and testing as deemed necessary by the probation officer.**
- 2. The defendant shall satisfactorily participate in a mental health treatment program approved by the probation officer, which may include evaluation, counseling, and testing as deemed necessary by the probation officer.**

DEFENDANT: Damion Trizell Neal**CASE NUMBER: MJG-02-0219****CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$100.00	\$	\$

☐ If applicable, restitution amount ordered pursuant to plea agreement. \$

FINE

The defendant shall pay interest on any fine of more than \$2,500, unless the fine is paid in full before the 15th day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for default and delinquency pursuant to 18 U.S.C. §3612(g).

☒ The court has determined that the defendant does not have the ability to pay a fine; therefore, a fine is waived.

☐ The court has determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ The interest requirement is waived.

☐ The interest requirement is modified as follows:

RESTITUTION

☐ The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case will be entered after such determination.

☐ The defendant shall make restitution to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below.

<u>Name and Address of Payee</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
----------------------------------	--	--

DEFENDANT: Damion Trizell Neal**CASE NUMBER: MJG-02-0219****SCHEDULE OF PAYMENTS**

Payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; and (6) penalties.

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A ☐ In full immediately; or
- B ☐ \$_____ immediately, balance due (in accordance with C, D, or E); or
- C ☐ Not later than _____; or
- D ☐ Installments to commence _____ day(s) after the date of this judgment.
- E ☐ In _____ (e.g. *equal weekly, monthly, quarterly*) installments of \$_____ over a period of _____ year(s) to commence when the defendant is placed on supervised release.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

Unless the court expressly orders otherwise, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment through the Bureau of Prisons' Inmate Financial Responsibility Program.

If the entire amount of criminal monetary penalties is not paid prior to the commencement of supervision, the balance shall be paid:

- ☒ **in equal monthly installments during the second year term of supervision.**
- ☐ on a nominal payment schedule of \$_____ per month during the term of supervision.

The U.S. probation officer may recommend a modification of the payment schedule depending on the defendant's financial circumstances.

Special instructions regarding the payment of criminal monetary penalties:

- ☐ Joint and Several with:
- ☐ The defendant shall pay the following costs of prosecution and/or court costs:
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

CLOSED

**U.S. District Court
District of Maryland (Baltimore)
CRIMINAL DOCKET FOR CASE #: 1:02-cr-00219-MJG-ALL
Internal Use Only**

Case title: USA v. Neal

Date Filed: 05/02/2002

Assigned to: Judge Marvin J. Garbis

Defendant

Damion Trizell Neal (1)
TERMINATED: 04/09/2003

represented by **John G Sakellaris**
401 E Pratt St Ste 1622
Baltimore, MD 21202
14106851520
Fax: 14106853453
Email: jsak@verizon.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

18:922G.F Possession of Firearm by
Convicted Felon
(1)

Disposition

Imprisonment 39 months; Supervised
Release 3 years; Special Assessment
\$100.00

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **John Francis Purcell, Jr**

Office of the United States Attorney
36 S Charles St Fourth Fl
Baltimore, MD 21201
14102094800
Fax: 14109623124
Email: Jack.Purcell@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas M DiBiagio
Beveridge and Diamond PC
1350 I St NW
Washington, DC 20005
12027896000
Fax: 12027896190
Email: tdibiagio@bdlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/02/2002	1	INDICTMENT as to Damion Trizell Neal (1) count(s) 1 (amf, Deputy Clerk) (Entered: 05/03/2002)
05/02/2002	2	REQUEST and ORDER as to Damion Trizell Neal, for issuance of Bench warrant (Signed by Magistrate Judge Paul W. Grimm 5/02/02) (amf, Deputy Clerk) (Entered: 05/03/2002)
05/02/2002		**Added Government Attorney Thomas M DiBiagio as to Damion Trizell Neal (amf, Deputy Clerk) (Entered: 05/03/2002)
05/02/2002		**Added Government Attorney John Francis Purcell Jr as to Damion Trizell Neal (amf, Deputy Clerk) (Entered: 05/03/2002)
05/03/2002	3	Bench WARRANT issued as to Damion Trizell Neal (amf, Deputy Clerk) (Entered: 05/03/2002)
05/08/2002		Initial appearance as to Damion Trizell Neal held before Magistrate Judge Beth P. Gesner (ER: Smith) (Defendant informed of rights.) (amf, Deputy Clerk) (Entered: 05/09/2002)
05/08/2002	4	NOTICE of Appearance for Damion Trizell Neal by Attorney John G. Sakellaris (amf, Deputy Clerk) (Entered: 05/09/2002)
05/08/2002	5	ORDER OF DETENTION by Agreement as to Damion Trizell Neal (Signed by Magistrate Judge Beth P. Gesner 5/08/02) (c/m jas) (amf, Deputy Clerk) (Entered: 05/09/2002)
05/08/2002	6	WAIVER of Rights Under Interstate Agreement on Detainers by Damion Trizell Neal (amf, Deputy Clerk) (Entered: 05/09/2002)
05/17/2002	7	CJA 23 FINANCIAL AFFIDAVIT by Damion Trizell Neal (amf, Deputy Clerk) (Entered: 05/17/2002)

05/17/2002	8	CJA 20 as to Damion Trizell Neal : Appointment of Attorney John G. Sakellaris (c/m dps) (amf, Deputy Clerk) (Entered: 05/17/2002)
06/10/2002	9	CJA 20 as to Damion Trizell Neal : Appointment of Attorney John G. Sakellaris (c/m dps) (amf, Deputy Clerk) (Entered: 06/10/2002)
09/03/2002	10	Bench WARRANT Returned Executed as to Damion Trizell Neal on 5/8/02 (amf, Deputy Clerk) (Entered: 09/03/2002)
09/11/2002		Hearing as to Damion Trizell Neal held before Magistrate Judge Paul W. Grimm (ER: hsg) (amf, Deputy Clerk) (Entered: 09/11/2002)
09/11/2002	11	ORDER OF DETENTION In a Federal Facility by Agreement as to Damion Trizell Neal (Signed by Magistrate Judge Paul W. Grimm 9/11/02) (c/d hsg) (amf, Deputy Clerk) (Entered: 09/11/2002)
01/30/2003		Arraignment as to Damion Trizell Neal, Guilty: Damion Trizell Neal (1) count(s) 1 held before Judge Marvin J. Garbis (Court Reporter: Shaulis) (amf, Deputy Clerk) (Entered: 01/31/2003)
01/30/2003		Imposition of Sentence suspended pending presentence investigation as to Damion Trizell Neal (amf, Deputy Clerk) (Entered: 01/31/2003)
01/30/2003	12	Exhibit list (Plea Agreement) by USA as to Damion Trizell Neal (amf, Deputy Clerk) (Entered: 01/31/2003)
01/30/2003	13	Guideline Sentencing Order as to Damion Trizell Neal (Signed by Judge Marvin J. Garbis 1/30/03) (c/m hm) (amf, Deputy Clerk) (Entered: 01/31/2003)
04/07/2003		Sentencing as to Damion Trizell Neal held before Judge Marvin J. Garbis. (Court Reporter Barbara Shaulis.) (hbm, Deputy Clerk) (Entered: 04/08/2003)
04/09/2003	14	JUDGMENT as to Damion Trizell Neal (1), Count(s) 1, Imprisonment 39 months; Supervised Release 3 years; Special Assessment \$100.00. Signed by Judge Marvin J. Garbis on 04/08/03.(c/m microfilmed af) (amf, Deputy Clerk) (Entered: 04/09/2003)
04/09/2003		***Case Terminated as to Damion Trizell Neal (amf, Deputy Clerk) (Entered: 05/07/2003)
01/24/2006	15	Probation Jurisdiction Transferred to District of Delaware as to Damion Trizell Neal ; Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment and docket sheet. (amf, Deputy Clerk) (Entered: 01/24/2006)

I hereby attest and certify on January 24, 2006
 that the foregoing document is a true and correct
 copy of the original on file in my office and in my
 legal custody.

FELICIA C. CANNON
 CLERK, U. S. DISTRICT COURT
 DISTRICT OF MARYLAND

By [Signature] Deputy